

unnamed role as mother to their own mother as she ages. Single women, too, can become mothers in this way, picking up more and more of the care of their aging parents. The willingness and love with which children care for their parents is a direct reflection of how good a job their parents did raising them. The writer Charlotte Gray observed that "Children and mothers never truly part—bound in the beating of each other's heart." It is just that sometimes, the roles of mother and child, caretaker and care-receiver, reverse. And while it can be sad to see one's mother failing, the burden of her care is lightened by the warm memories of all the nights her hands tucked in the bedcovers or checked a forehead for fever, and by all the prayers her lips have uttered on her child's behalf.

Mr. President, I close with a poem by an unknown author, entitled "Mother's Love":

MOTHER'S LOVE

Her love is like an island
In life's ocean, vast and wide
A peaceful, quiet shelter
From the wind, the rain, the tide.
'Tis bound on the north by Hope,
By Patience on the West,
By tender Counsel on the South,
And on the East by Rest.
Above it like a beacon light
Shine Faith, and Truth, and Prayer;
And thro' the changing scenes of life
I find a haven there.

CONGRATULATIONS TO LILY STEVENS, THE LAW SCHOOL GRADUATE

Mr. BYRD. Mr. President, last month, this Chamber celebrated a milestone day in the life of our dear colleague, Senator TED STEVENS. On April 13, the senior Senator from Alaska became the longest serving Republican Senator in history. This was an important day for him. It was an historic day for us.

But having served in this Chamber with Senator STEVENS for more than four decades, and knowing him as I do, I feel confident that, in a few days, he will be celebrating what to him will be an even more important day. This Saturday, May 12, his lovely, talented, and beloved daughter Lily will graduate from law school. She will receive her Juris Doctor degree from the University of California, Berkeley, School of Law.

I extend my heartiest congratulations to Lily, whom I know quite well. I remember her as an infant when her father carried her around the Capitol in a basket. I remember attending the birthday parties that her father gave her. I enjoyed watching her grow up. Now she is the graduate of one of our Nation's most prestigious law schools. And she is ready to embark upon what I am confident will be a rewarding, productive, and most successful career.

Knowing Lily as I do, I am sure that she will see her graduation, not as the end, but as just another step in her

educational endeavors. As Solon, one of the seven wise men of Greece, observed, "I grow old in the pursuit of learning." Although Lily is a young woman, I am confident that she will grow old "in pursuit of learning."

Today, I congratulate her and wish her the best as she completes an important milestone in her education and her life, and embarks upon the next endeavor.

And I also congratulate her father, Senator TED STEVENS.

ABUSIVE LITIGATION IN AMERICA

Mr. MCCONNELL. Mr. President, I rise today to speak about abusive litigation in America. Unfortunately, many personal injury lawyers' insatiable appetites for a big payday by any theory imaginable are never satisfied, and so I come yet again to speak about tort reform—an issue I have worked on nearly every year that I have been in the Senate.

Earlier this week, as part of an ongoing effort to bring much-needed reform to our civil-justice system, I reintroduced the Commonsense Consumption Act with Senators PRYOR, GRAHAM, BAUCUS, CORNYN, LINCOLN, ALEXANDER, DOLE, and BUNNING.

When I first introduced the Commonsense Consumption Act in July of 2003, the effort by some unscrupulous personal injury lawyers to target food manufacturers and sellers was only beginning to take shape.

In fact, I noted at that time an article in the satirical newspaper "The Onion." This newspaper had gotten a big laugh through a spoof article entitled "Hershey's Ordered to Pay Obese Americans \$135 Billion."

The article poked fun at the worst excesses of plaintiff's attorneys, describing a class-action suit that accused the candy company of "knowingly and willfully marketing rich, fatty candy bars, containing chocolate and other ingredients of negligible nutritional value."

That spoof was published in August of 2000. But almost 7 years later, farce has become reality.

Frivolous lawsuits against the food industry are moving forward on a number of different fronts and a growing cadre of academics, overzealous public health advocates, and of course, personal injury lawyers, are forthright about their intentions to make food manufacturers and sellers the victims of their next huge payday.

One of the more prominent members of the movement to sue the food industry is John Banzhaf, a personal injury attorney and a professor. Banzhaf appears often in the media to discuss strategies for suing food producers and sellers.

In one appearance, Banzhaf told an interviewer in regard to obesity lawsuits:

[Y]ou may not like it . . . but we'll find a judge. And then we'll find a jury.

During another interview, Banzhaf proclaimed:

. . . we're going to sue them and sue them and sue them, and I think ultimately, as with tobacco, we're going to win.

The comparison of this litigation to the tobacco suits is apt, because trial attorneys are eager to find another industry to bear the burden of inflating their bank accounts. As Banzhaf told National Public Radio:

. . . when we proposed that the states would sue for the cost of health care for lung cancer, heart attack and so on, people thought the lawyers bringing those suits were crazy. They called them crazy. Today, we call them something else. We call them multimillionaires, because, as you know, they won over \$250 billion.

Indeed, a great deal of time and energy is being invested into strategies to transfer huge sums from the food industry to overeating plaintiffs and, more to the point, their exceedingly active lawyers.

But these lawsuits are not only about money. They also represent attempts by a small group of lawyers and special-interest groups to subvert the legislative process and impose by litigation what they cannot achieve at the ballot box. In 1999, Robert Reich, former Secretary of Labor under President Bill Clinton, said that, "The era of big government may be over, but the era of regulation by litigation has just begun."

Last November, a group calling itself the Public Health Advocacy Institute held its fourth annual conference regarding obesity litigation.

This is the same Public Health Advocacy Institute whose 2004 Conference featured a memorable overhead projection display proclaiming "Patience, hell. Let's sue somebody." And these groups will sue, and they will sue, and they will sue, until they have imposed their special-interest policy preferences on the rest of America.

This kind of reckless litigation cannot be allowed to continue. A Gallup poll found that 89 percent of Americans oppose holding the food industry legally responsible for the diet-related health problems of people who choose to eat fast-food on a regular basis.

The economic repercussions of this sort of frivolous litigation are very real. In fact, the food industry is one of the most important engines for our Nation's economy. The food retail sector of the industry is America's largest private-sector employer, providing jobs and livelihoods for more than 12 million Americans. Estimates suggest that the food industry is responsible for 4 percent of the United States GDP.

Nor is this an industry dominated by a small number of large market participants. Numerous mom-and-pop grocery stores, family-owned and operated restaurants, specialty producers, and other small businesses will find themselves in the crosshairs of the personal injury lawyers trying to cash in on obesity-related lawsuits.

Wayne Reaves, an entrepreneur who operates seven quick-service restaurants in the Northern Alabama region, testified before the Senate Judiciary Subcommittee on Administrative